

CITY COUNCIL  
CITY OF WICHITA  
KANSAS

City Council Meeting  
9:00 A.M., December 21, 2004

City Council Chambers  
455 North Main

ORDER OF BUSINESS

- Call to Order
  - Invocation
  - Pledge of Allegiance
  - Approve the minutes of the previous meeting
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AWARDS AND PROCLAMATIONS

- Proclamations
  - Above & Beyond Employee Recognition, Ron Walton.
  - Distinguished Service Citation-Bailis Bell.
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PUBLIC AGENDA

1. King David Davis-The Rule of Law Versus the Rule of Men.
  2. This Item pulled from the Agenda.
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CONSENT AGENDA

3. Report of the Board of Bids and Contracts Dated December 20, 2004.

RECOMMENDED ACTION: Receive and file report; approve Contracts;  
authorize necessary signatures.

4. Application for License for Adult Entertainment Establishments/Services:

Renewal Adult Entertainment

Robert Floyd                                      Priscilla's                                      2606 South Rock Road #100

RECOMMENDED ACTION: Approve license subject to Staff review and approval.

5. Applications for Licenses to Retail Cereal Malt Beverages:

Renewal                                      2004                                      (Consumption on Premises)

Bernard J. Berning                                      Pizza Villa Restaurant\*                                      2342 South Maize Road

Renewal                                      2004                                      (Consumption off Premises)

Robin E. Forbis                                      Wal-Mart Supercenter #1221                                      6110 West Kellogg  
Lethanh T.Le                                      Broadway Supermarket                                      1336 North Broadway  
Kenny Nguyen                                      PP Station                                      2601 North Broadway

New Operator                                      2004                                      (Consumption off Premises)

Navid Haeri                                      Jump Start                                      3805 West 21<sup>st</sup> Street

\*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

6. Preliminary Estimates:

- a) Wichita Public Pool Site Lighting Improvements (nine public pool sites in City parks) (472-84002/785041/785042/394173/394174) Does not affect existing traffic. (Districts I,II,III,IV,V,VI) - \$177,000
- b) Storm Water Drain #245 to serve Fox Ridge Addition (north of 29th Street North, west of Tyler) (468-83929/751385/485276) Does not affect existing traffic. (District V) - \$318,000
- c) Water Distribution System to serve Falcon Falls Addition (south of 53rd Street North, west of Hillside) (448-89770/735224/470894) Does not affect existing traffic. (District I) - \$70,000

RECOMMENDED ACTION: Approve and file.

7. Deeds and Easements:

- a) Sanitary Sewer Easement dated October 15, 2004 from Parkway Partners, L.L.C. located over a portion of Lot 4, Block 1, Wilson Estates Medical Park 2nd, an addition to Wichita, Sedgwick County, Kansas (OCA# 607861). No Cost to City
- b) Storm Water Sewer Easement dated October 20, 2004 from Parkway Partners, L.L.C. located over a portion of Lot 4, Block 1, Wilson Estates Medical Park 2nd, an addition to Wichita, Sedgwick County, Kansas (OCA# 607861). No Cost to City

(Item 7 continued)

- c) Utility Easement dated November 8, 2004 by Fox Ridge Development Company, Inc for a tract of land located in the northern portion of Reserve E, Fox Ridge Addition, an addition to Wichita, Sedgwick County, Kansas (OCA#607861). No Cost to City
- d) Utility Easement dated November 16, 2004 by Fox Ridge Development Company, Inc for a tract of land located in the southern portion of Reserve G, Fox Ridge Addition, an addition to Wichita, Sedgwick County, Kansas (OCA#607861). No Cost to City
- e) Drainage and Utility Easement dated November 15, 2004 from 13th Avenue Partners, LLC for a tract of land located in a portion of Lot 12, Block 1, The Gateway Center Addition, an addition to Wichita, Sedgwick County, Kansas (OCA#607861). No Cost to City
- f) Utility Easement dated November 29, 2004 from Consolidated Greenwich 21, LLC for a tract of land located in Lot 11, Block 1, Regency Lakes Commercial 2nd Addition, an addition to Wichita, Sedgwick County, Kansas (OCA#744094) No cost to City
- g) Waterline easement dated November 29, 2004 from Consolidated Greenwich 21, LLC for a tract of land located in Lot 11, Block 1, Regency Lakes Commercial 2nd Addition, an addition to Wichita, Sedgwick County, Kansas (OCA#744094) No Cost to City

RECOMMENDED ACTION: Accept documents.

8. Statements of Cost:

- a) Improving Milstead, Milstead Court, etc. to serve Flat Creek Addition (east of 119th Street West, north of Pawnee). Total Cost - \$348,449.19 (plus idle fund interest - \$1,179.85, plus temporary note interest - \$4,449.96). Financing to be issued at this time - \$354,079.00. (765824/472-83385/490-935).
- b) Improving Sedgwick, Athenian, Charles, St. Clair, Delaware, 54th St. North, 56th St. North and 57th St. North to serve Leewood Heights & 2nd, 3rd & 4th Additions, Anderson Acres, Liebau Heights, Stein-Adams and others (north of 53rd Street North, east of Meridian). Total Cost - \$750,567.99 (plus idle fund interest - \$2,930.21, plus temporary note interest - \$13,755.80). Financing to be issued at this time - \$767,254.00. (765717/472-83474/490-828).
- c) Improving Joann from Central to Zoo Boulevard to serve Westridge Acres, Davis Gardens and Omo Additions. Total Cost - \$155,421.89 (plus idle fund interest - \$519.85, plus temporary note interest - \$2,665.26). Financing to be issued at this time - \$158,607.00. (765718/472-83478/490-829).
- d) Improving Peckham and Mainsgate Circle to serve Hawthorne Addition (north of 21st Street North, east of 127th Street East). Total Cost - \$217,671.17 (plus idle fund interest - \$1,158.87, plus temporary note interest - \$2,064.96). Financing to be issued at this time - \$220,895.00. (765829/472-83638/490-940).
- e) Improving Bracken Circle and Zimmerly Court to serve Woodland Lakes Estates 3rd Addition (north of Harry, west of 127th Street East). Total Cost - \$217,033.04 (plus idle fund interest - \$1,009.50, plus temporary note interest - \$2,057.46). Financing to be issued at this time - \$220,100.00. (765848/472-83716/490-959).
- f) Improving Northwind, Northwind Circle, Hazelwood, Northshore Circle, and Northwind Court to serve Ridge Port and Ridge Port 3rd Additions (east of Ridge, north of 29th Street North). Total Cost - \$257,988.17 (plus idle fund interest - \$1,011.37, plus temporary note interest - \$4,577.46). Financing to be issued at this time - \$263,577.00. (765802/472-83772/490-913).

(Item 8 continued)

- g) Improving Parkdale, Bristle Cone, Bristle Cone Circle, Lantana and Lantana Court to serve Evergreen 4th Addition (south of 29th Street North, west of Maize). Total Cost - \$326,663.78 (plus idle fund interest - \$1,757.92, plus temporary note interest - \$3,018.30). Financing to be issued at this time - \$331,440.00. (765836/472-83782/490-947).
- h) Improving Red Fox Circle to serve Fox Ridge Addition (north of 29th Street North, between Maize and Tyler). Total Cost - \$65,253.71 (plus idle fund interest - \$494.71, plus temporary note interest - \$472.50). Financing to be issued at this time - \$66,220.00. (758682/472-83789/490-973).
- i) Improving Andrea, Andrea Courts and Tara Falls Court to serve Tara Falls Addition (south of Harry, east of Greenwich). Total Cost - \$230,939.95 (plus idle fund interest - \$709.59, plus temporary note interest - \$3,017.46). Financing to be issued at this time - \$234,667.00. (765822/472-83848/490-933).
- j) Improving 27th Street South to serve Kingston Cove 2nd Addition (south of Pawnee, west of McLean Boulevard). Total Cost - \$95,460.60 (plus idle fund interest - \$247.39, plus temporary note interest - \$1,014.12). Financing to be issued at this time - \$96,722.00. (765831/472-83860/490-942).
- k) Improving St. Paul and St. Paul Court to serve The Legacy Addition (west of Meridian, south of MacArthur). Total Cost - \$119,755.81 (plus idle fund interest - \$679.25, plus temporary note interest - \$1,244.94). Financing to be issued at this time - \$121,680.00. (765835/472-83892/490-946).
- l) Improving Auburn Hills, Monterey, Ocala, Auburn Hills Court, etc. to serve Auburn Hills 15th Addition (west of 135th Street West, north of Kellogg). Total Cost - \$474,549.57 (plus idle fund interest - \$2,675.13, plus temporary note interest - \$4,098.30). Financing to be issued at this time - \$481,323.00. (765841/472-83930/490-952).
- m) Improving 20th Street from the east line of Webb Road to 220 feet east of the east line of Webb Road to serve Handley 2nd Addition (south of 21st Street North, east of Webb). Total Cost - \$96,974.15 (plus idle fund interest - \$445.73, plus temporary note interest - \$1,029.12). Financing to be issued at this time - \$98,449.00. (765844/472-83937/490-955).
- n) Improving traffic signal on 21st Street North approximately 1,000 feet west of Greenwich Road (north of 21st, west of Greenwich). Total Cost - \$119,219.61 (plus idle fund interest - \$373.27, plus temporary note interest - \$1,179.12). Financing to be issued at this time - \$120,772.00. (765859/472-83954/490-970).
- o) Improving Maize Court to serve Southern Ridge Addition (west of Maize, south of Pawnee). Total Cost - \$108,903.25 (plus idle fund interest - \$644.75, plus temporary note interest - \$795.00). Financing to be issued at this time - \$110,343.00. (765860/472-83956/490-971).
- p) Improving traffic signal at the intersection of Maize Road and Central Park Street (north of 21st, west of Maize). Total Cost - \$89,918.59 (plus idle fund interest - \$431.63, plus temporary note interest - \$810.78). Financing to be issued at this time - \$91,161.00. (765858/472-83957/490-969).
- q) Improving Glenwood Circle to serve Reed's Cove Addition (south of 21st, east of 127th Street East). Total Cost - \$160,825.91 (plus idle fund interest - \$1,111.09, plus temporary note interest - \$1,125.00). Financing to be issued at this time - \$163,062.00. (765865/472-83968/490-976).
- r) Constructing Lateral 15, Main 19, Southwest Interceptor Sewer to serve Northridge Addition (north of 37th Street North, west of Ridge). Total Cost - \$123,506.56 (plus idle fund interest - \$204.14, plus temporary note interest - \$1,533.30). Financing to be issued at this time - \$125,244.00. (744024/468-83736/480-712).

(Item 8 continued)

- s) Constructing Lateral 361, Four Mile Creek Sewer to serve Gateway Center and Kiser West Additions (south of 13th Street North, east of Greenwich). Total Cost - \$222,654.42 (plus idle fund interest - \$1,201.12, plus temporary note interest - \$2,102.46). Financing to be issued at this time - \$225,958.00. (744042/468-83747/480-730).
- t) Constructing Lateral 272, Main 5, Sanitary Sewer No. 22 to serve Steve Kelley 5th Addition (south of 13th Street North, east of Hoover). Total Cost - \$64,600.15 (plus idle fund interest - \$404.35, plus temporary note interest - \$472.50). Financing to be issued at this time - \$65,477.00. (744055/468-83801/480-743).
- u) Improving Storm Water Drain #190 to serve Hawthorne Addition (north of 21st Street North, east of 127th Street East). Total Cost - \$643,149.26 (plus idle fund interest - \$5,172.50 plus temporary note interest - \$9,129.24). Financing to be issued at this time - \$657,451.00. (751321/468-83516/485-212).
- v) Improving Storm Water Drain #191 to serve Hawthorne Addition (north of 21st Street North, east of 127th Street East). Total Cost - \$147,838.85 (plus idle fund interest - \$686.45 plus temporary note interest - \$1,490.70). Financing to be issued at this time - \$150,016.00. (751360/468-83517/485-251).
- w) Improving Storm Water Sewer #582 to serve Copper Gate Estates Addition (south of 13th Street North, west of 135th Street West). Total Cost - \$105,093.01 (plus idle fund interest - \$455.99 plus temporary note interest - \$765.00). Financing to be issued at this time - \$106,314.00. (751363/468-83560/485-254).
- x) Improving Storm Water Sewer #592 to serve Reed's Cove Addition (south of 21st Street North, east of 127th Street East) Total Cost - \$138,909.26 (less idle fund interest - \$833.80 plus temporary note interest - \$1,904.94). Financing to be issued at this time - \$141,648.00. (751346/468-83571/485-237).
- y) Improving Storm Water Drain #204 to serve Reed's Cove Addition (south of 21st Street North, east of 127th Street East) Total Cost - \$872,231.37 (plus idle fund interest - \$3,593.17 plus temporary note interest - \$15,254.46). Financing to be issued at this time - \$891,079.00. (751334/468-83625/485-225).
- z) Improving Storm Water Sewer #589 to serve Evergreen 4th Addition (south of 29th Street North, west of Maize). Total Cost - \$102,847.31 (plus idle fund interest - \$337.73 plus temporary note interest - \$1,224.96). Financing to be issued at this time - \$104,410.00. (751353/468-83640/485-244).
- aa) Improving Storm Water Drain #208 to serve Harvest Ridge Addition (west of Maize, south of 31st Street South). Total Cost - \$113,415.96 (plus idle fund interest - \$671.54, plus temporary note interest - \$787.50). Financing to be issued at this time - \$114,875.00. (751351/468-83662/485-242).
- bb) Improving Storm Water Sewer #595 to serve Rivendale Addition (north of 55th Street South, west of Hydraulic). Total Cost - \$433,573.74 (plus idle fund interest - \$2,050.28 plus temporary note interest - \$4,114.98). Financing to be issued at this time - \$439,739.00. (751349/468-83719/485-240).
- cc) Improving Storm Water Sewer #601 to serve Ridge Addition (north of 37th Street North, west of Ridge). Total Cost - \$110,885.12 (plus idle fund interest - \$289.92 plus temporary note interest - \$1,284.96). Financing to be issued at this time - \$112,460.00. (751350/468-83737/485-241).
- dd) Improving Storm Water Drain #222 to serve English Country Gardens Addition (east of Tyler, north of 13th Street North). Total Cost - \$477,304.32 (plus idle fund interest - \$2,532.87, plus temporary note interest - \$4,120.80). Financing to be issued at this time - \$483,958.00. (751361/468-83756/485-252).
- ee) Improving Storm Water Drain #225 to serve Regency Lakes Commercial 2nd Addition (north of 21st, west of Greenwich). Total Cost - \$413,682.20 (plus idle fund interest - \$1,928.00 plus temporary note interest - \$3,655.80). Financing to be issued at this time - \$419,266.00. (751362/468-83775/485-253).

(Item 8 continued)

- ff) Improving Storm Water Drain #230 to serve Reed's Cove, Reed Commercial, Reed's Cove 2nd, and Reed's Cove 3rd Additions (south of 21st, east of 127th Street East). Total Cost - \$64,000.00 (plus idle fund interest - \$369.75, plus temporary note interest - \$461.25). Financing to be issued at this time - \$64,831.00. (751366/468-83800/485-257).
- gg) Improving Water Distribution System to serve Copper Gate Estates Addition (south of 13th, west of 135th Street West). Total Cost - \$58,220.55 (plus idle fund interest - \$263.79, plus temporary note interest - \$546.66). Financing to be issued at this time - \$59,031.00. (735181/448-89756/470-851).
- hh) Improving Water Distribution System to serve Reed's Cove Addition (south of 21st, east of 127th Street East). Total Cost - \$41,069.51 (plus idle fund interest - \$248.49, plus temporary note interest - \$300.00). Financing to be issued at this time - \$41,618.00. (735191/448-89822/470-861).
- ii) Improving Water Distribution System to serve Northridge Addition (north of 37th Street North, west of Ridge). Total Cost - \$74,553.49 (plus idle fund interest - \$195.55, plus temporary note interest - \$729.96). Financing to be issued at this time - \$75,479.00. (735159/448-89898/470-829).
- jj) Improving Water Distribution System to serve Krug North Addition (north of 21st Street North, west of 143rd Street East). Total Cost - \$86,647.32 (plus idle fund interest - \$481.68, plus temporary note interest - \$630.00). Financing to be issued at this time - \$87,759.00. (735186/448-89934/470-856).
- kk) Improving Water Distribution System to serve Steve Kelley 5th Addition (south of 13th Street North, west of Hoover). Total Cost - \$50,922.52 (plus idle fund interest - \$298.98, plus temporary note interest - \$367.50). Financing to be issued at this time - \$51,589.00. (735192/448-89945/470-862).

RECOMMENDED ACTION: Approve and file.

9. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve street closures/uses.

10. Agreements/Contracts:

- a) Approval of Thunder Hockey Office Lease.

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

11. Claims for the month of November 2004.

Hill, Ronald A.	\$969.00
Madden, Helen B.	\$193.89
McNett, Roy E.	\$540.00
Mudd, Gene R.	\$310.30**
Snow, Hodge and Edwards	\$451.33
SW Bell	\$403.64
SW Bell	\$1,650.15
Westar Energy	\$155.73

\*\* Settled for lesser amount than claimed.

RECOMMENDED ACTION: Receive and file.

12. Design Services Agreement for Firefly Drive and Azure Lane, south of 13<sup>th</sup> Street, west of 119<sup>th</sup> Street West. (District V)

RECOMMENDED ACTION: Approve Agreement; authorize necessary signatures.

13. Acquisition of a Tract behind 550 Wetmore Court for the Cowskin Creek Channel Improvement Project: Kellogg to Maple. (District V)

RECOMMENDED ACTION: Approve budgets and Contracts; authorize necessary signatures.

14. Budget Adjustments (2004 Year-end)

RECOMMENDED ACTION: Approve year-end budget adjustments to facilitate fiscal year-end closing.

15. HOME Program; Housing Development Loan Program Funding. (Districts I, III, IV, V, VI)

RECOMMENDED ACTION: Approve the recommended allocations; authorize staff to negotiate the funding agreements and authorize the necessary signatures.

16. Purchase Option, Ryan Properties, L.L.C. (District VI)

RECOMMENDED ACTION: 1) Ratify the bond call; 2) adopt the Resolution; 3) waive the notice period for reconveyance; 4) approve the Special Warranty Deed, the Termination and Release of Lease Agreement, and the Cancellation, Discharge and Release of Trust Indenture; and authorize the necessary signatures.

17. Parking Lots, Signage and Entry Drives.

RECOMMENDED ACTION: 1) Approve the bonding Resolution; 2) authorize initiation of the project; 3) authorize the hiring of design consultants; and 4) authorize the necessary signatures.

18. Adjustments to Special Liquor Tax Fund Budgets.

RECOMMENDED ACTION: Approve budget increases and the adjustments to three Special Liquor Tax project budgets.

19. Purchase of Three Buses.

RECOMMENDED ACTION: Approve the purchase of three Optima buses not to exceed \$780,000.

20. General Obligation Bond and Note Sale.

RECOMMENDED ACTION: Adopt the resolutions authorizing general obligation bond and note sales; approve the submittal of the preliminary Official Statement upon completion and authorize publication of the Notice of Sale.

21. Data Center Electrical/Mechanical Systems.

RECOMMENDED ACTION: Approve the budget transfers and contract.

22. EPA Grant Application for Pollution Prevention Activities.

RECOMMENDED ACTION: Approve the grant application; authorize the necessary signatures and authorize expenditure of funds if awarded the grant.

23. Approval of Litigation Settlement.

RECOMMENDED ACTION Authorize acceptance of the interim settlement Agreement.

24. Murdock Bridge Water Line Replacement. (District VI)

RECOMMENDED ACTION: Approve the transfer of funds and authorize the expenditure.

25. Settlement of Litigation-Williams vs. Voyles, et al, Case No. 03-1252-JTM.

RECOMMENDED ACTION: Authorize settlement of all possible claims arising out of the transactions which are the subject of the litigation.

25A. Cleanup of Abandoned Burlington Northern Santa Fe Railroad Right-of-Way. (Districts I,II)

RECOMMENDED ACTION: Approve the project; encumber funds; and authorize issuance of request.



26. Amended Storm Water Rate Resolution.

RECOMMENDED ACTION: Adopt the amended Resolution and authorize the necessary signatures.

27. Second Reading Ordinances: (First read December 14, 2004)

a) Maple Street between Maize and 119th Street West. (District V)

An Ordinance repealing Ordinance No. 44-672 and amending Ordinance No. 42-248 of the City of Wichita, Kansas, declaring Maple Street, from Maize Road to 119th Street West (472-83092) to be a main trafficway within the city of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same.

b) Public Hearing and Issuance of Industrial Revenue Bonds, Cessna Aircraft Company. (Districts III & IV)

An Ordinance authorizing the City of Wichita, Kansas, to issue its Taxable Industrial Revenue Bonds, Series VIII, 2004 (Cessna Aircraft Company), in the original aggregate principal amount of not to exceed \$51,800,000 for the purpose of purchasing, acquiring, constructing and installing an industrial and commercial facility; authorizing execution of a Fourteenth Supplemental Trust Indenture by and between the City and the Bank of New York Trust Company, N.A., St. Louis, Missouri, as Trustee with respect to the Series VIII, 2004 Bonds; authorizing the City to lease said project to Cessna Aircraft Company; authorizing the execution of a Fourteenth Supplemental Lease by and between the City and Cessna Aircraft Company; authorizing the execution of a Bond Purchase Agreement by and between the City and Cessna Aircraft Company, as purchaser of the Bonds; and, authorizing execution of a Bill of Sale, termination and release of Third Supplemental Lease and cancellation, discharge and release of Third Supplemental Trust Indenture.

c) Public Hearing and Issuance of Industrial Revenue Bonds, Bombardier Learjet. (District V)

An Ordinance authorizing the City of Wichita, Kansas, to issue its Taxable Industrial Revenue Bonds in the original aggregate principal amount not to exceed \$2,780,000 for the purpose of providing funds to purchase, acquire, construct and equip improvements and additions to certain existing facilities located in the City of Wichita, Kansas; prescribing the form and authorizing execution of an Eighth Supplemental Trust Indenture by and between the City and the Bank of New York Trust Company, N.A., St. Louis, Missouri (successor trustee to Intrust Bank, N.A., Wichita, Kansas) (the "Trustee"), as Trustee with respect to the Bonds; prescribing the form and authorizing the execution of an Eighth Supplemental Lease by and between Learjet inc. and the city; approving the form of a guaranty agreement; and authorizing the execution of a Bond Purchase Agreement by and between the City and Learjet Inc., as purchaser of the Bonds.

(Item 27 continued)

- d) Public Hearing and Issuance of Industrial Revenue Bonds for Ryan International Airlines. (District VI)

An Ordinance of the City of Wichita, Kansas, authorizing the issuance of \$3,500,000 aggregate principal amount of Taxable Industrial Revenue Bonds, Series V, 2004 (Rubloff Wichita, LLC) for the purpose of providing funds to purchase and acquire a corporate headquarters; prescribing the form and authorizing execution of a Trust Indenture by and between the City and UMB Bank, N.A., Wichita, Kansas, as Trustee with respect to the Bonds; prescribing the form and authorizing the execution of a Lease Agreement by and between the City and Rubloff Wichita, LLC; approving the form of a Guaranty Agreement; approving the sublease of the project to Ryan International Airlines, inc. and Multimedia Hyperion Telecommunications Inc.; authorizing the execution of a Bond Placement Agreement by and between the City, Rubloff Wichita, LLC, and Rubloff Wichita Bonds, LLC, as purchaser of the Bonds.

- e) Public Hearing and Issuance of Industrial Revenue Bonds, The Coleman Company, Inc. (District I)

An Ordinance authorizing the City of Wichita, Kansas, to issue its Taxable Industrial Revenue Bonds, Series IX, 2004 (The Coleman Company, Inc.), in the aggregate principal amount of not to exceed \$19,500,000 for the purpose of providing funds to purchase, acquire, construct and equip improvements and additions to certain existing facilities located in the City of Maize, Kansas and the City of Wichita, Kansas; prescribing the form and authorizing execution of a Tenth Supplemental Trust Indenture by and between the City and the Bank of New York Trust Company, N.A., as Trustee, with respect to the Bonds; prescribing the form and authorizing execution of a Tenth Supplemental Lease Agreement by and between the City and the Coleman Company, Inc.; Approving the form of a Guaranty Agreement; authorizing the execution of a Bond Purchase Agreement by and between the City and the Coleman Company, Inc., as purchaser of the Bonds; and authorizing execution of a Bill of Sale.

- f) International Fire Code-Adoption of the 2000 Edition, Repealing Chapter 15.01 of the City Code, and Ordinance No. 46-255.

An Ordinance adopting the 2000 International Fire Code and City of Wichita amendments thereto as Chapter 15.01 of the Code of the City of Wichita, Kansas, and repealing the original of Chapter 15.01 of said Code and repealing Ordinance No. 46-255.

- g) Funeral Escort Licensing-Amending Section 3.74.020 of the City Code.

An Ordinance amending Section 3.74.020, as set forth in Section 2 of Ordinance No. 46-203 of the Code of the City of Wichita, Kansas, pertaining to licensing applications for funeral escort services and repealing the original of said section.

- h) 29th Street North Improvement, from Tyler to Ridge. (District V)

An Ordinance declaring 29th street north, between Tyler and Ridge (472-83903) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same.

- i) Water and Sewer Rate Adjustments.

1. Ordinance amending Section 16.14.040 of the Code of the City of Wichita, Kansas, relating to the schedule of rates for users of the sanitary sewer system, and repealing the original of said Section.

2. An Ordinance amending Section 17.12.090 of the Code of the City of Wichita, Kansas, pertaining to the schedule of rates and charges for water service, and repealing the original of said section.

(Item 27 continued)

- j) ZON2003-66 - generally located east of Greenwich Road, on the south side of Central Avenue, on the southwest corner of Central Avenue and Ellson Street. (District II)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. (ZON 2003-66)

- k) ZON2004-00051 - generally located northwest of Webb Road and 43rd Street North. (District II)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. (ZON 2004-00051)

- l) ZON2004-00052 - generally located at the southeast corner of St. Paul and Elm. (District VI)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. (ZON 2004-00052)

- m) ZON2004-00053 - generally located south of Central, one-half block west of Tracy, 4425 West Central. (District IV)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. (ZON 2004-00053)

- n) ZON2004-54 - generally located at the northwest corner of East First Street and Ohio, 1116 East First Street. (District I)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. (ZON 2004-00054)

- o) ZON2004-00055 - generally located south of Kellogg and west of Water Street. (District I)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. (ZON 2004-00055)

RECOMMENDED ACTION: Adopt Ordinances.

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UNFINISHED BUSINESS

28. Repair or Removal of Unsafe Structures, 4237 East Menlo. (District III)  
(Continued from April 20, 2004)

RECOMMENDED ACTION: It is recommended that the City Council modify its previous resolution and grant the property owner a final 60 days to complete required exterior repairs. Any extension of time should be conditioned on the following; (1) all delinquent taxes shall be paid in full as of 12/14/04; (2) the structure shall be maintained in a secure condition; (3) the premise shall be maintained free of debris and kept mowed; and (4) per City Council Policy 33, a cash deposit equal to one half the estimated cost of demolition (\$1,750) shall be immediately deposited with the City.

29. Funding Support for the Arts.  
(Deferred December 14, 2004)

RECOMMENDED ACTION: Approve/adopt the Resolution.

30. Amendments to Salary and Position Classification Ordinance.  
(Deferred December 14, 2004)

RECOMMENDED ACTION: Approve the amendments to the Salary and position Classification Ordinance, including the recommended economic enhancements.

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NEW BUSINESS

31. Request for Letter of Intent for Industrial Revenue Bonds, American Baptist Estates. (District IV)

American Baptist Estates is requesting City Council approval of a six-month Letter of Intent for the issuance of Industrial Revenue Bonds in an amount of \$1,325,000.

RECOMMENDED ACTION: Approve the Letter of Intent to American Baptist Estates for Industrial Revenue Bonds in an amount of \$1,325,000, subject to the Standard Letter of Intent Conditions, for a term of six-months and authorize the application for a sales tax exemption on bond-financed purchases.

32. Approval of Economic Development Incentive for Honeywell. (District IV)

Honeywell is a large national conglomerate manufacturer whose aircraft avionics division has its largest instrument repair facility in Wichita, on South Hydraulic near Pawnee, where they employ 179 people at average wages over \$40,000 per year. The Greater Wichita Economic Development Coalition, (GWEDC) has been working with Honeywell to ensure that the company stays in Wichita.

RECOMMENDED ACTION: Approve the proposed economic development incentive package for Honeywell, subject to approval of a forgivable loan agreements.

33. Approval of WaterWalk Ground Lease and Related Agreement. (District I)

WaterWalk LLC has negotiated lease terms with Gander Mountain and is prepared to begin construction of the Gander Mountain project once the ground lease is executed. In addition to the ground lease, the Gander lease required certain related documents be approved by the City Council, including: parking agreements; a permit for the use of highway right-of-way; a declaration of covenants, conditions and restrictions; and an attornment agreement.

RECOMMENDED ACTION: Approve the Ground Lease No. 1, the Parking Agreement, the GM Parking District Agreement, the Highway Permit for use of right of way, the Declaration of Covenants, Conditions and Restrictions, and the Attornment Agreement and authorize the necessary signatures.

34. Approval of Economic Development Incentives for Franchise Services Company. (District II)

Franchise Services Company, Inc. ("FSC") is a national back-office support services business based in Wichita. The Greater Wichita Economic Development Coalition (GWEDC) has been working with FSC to ensure that the expansion and relocation of the company's corporate headquarters stays in Wichita. GWEDC has coordinated the development of an incentives package with City, County and State officials, which are presented herewith for approval of the City's portion.

RECOMMENDED ACTION: Approve the proposed economic development incentive package for Franchise Services Company, Inc., subject of specific written agreements.

35. Banner Upgrade.

Banner is the Customer Information System (CIS) utilized by the Water & Sewer Department to store customer meter readings, generate bills and accept payments. The current system has been in place since September of 2000, with the most recent upgrade being done in April 2002.

RECOMMENDED ACTION: Approve the selection of Indus as the sole source; approve the transfer of funds and authorize the necessary signatures.

36. Franchise Ordinance Agreement with Kin Networks, Inc. D/B/A ALLTEL Communications. (Districts I and VI)

By Ordinance No. 43-504, passed and approved June 17, 1997, the City of Wichita granted to KIN Network, Inc., the right and privilege to construct, operate, and maintain a fiber optic telecommunication system in the City.

RECOMMENDED ACTION: First reading of the contract franchise ordinance between the City and KIN Network, Inc., d/b/a ALLTEL Communications.

37. Agreement for Professional Services for Permit Modification for Brooks Landfill-Construction and Demolition Facility. (District VI)

The City owned Brooks Landfill operates today as a disposal site for construction and demolition (C&D) waste. This area is expected to reach its capacity in late 2005 or early 2006 and now needs to be expanded. The yard waste composting area also needs expanding from 0.5 acres to 5 acres.

RECOMMENDED ACTION: Approve the agreement and authorize the necessary signatures.

38. Organizational Improvement Project.

The City Manager desires to develop a project, which will accelerate the City of Wichita into a high performing organization using continuous quality improvement processes similar to work that has been done in the six development departments over the past eight years.

RECOMMENDED ACTION: Approve the establishment of the Organizational improvement Project; authorize the issuance of a Request for Proposal and approve the budget adjustments to fund the project.

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PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

\* Consent Items

39. DR2003-021-Adoption of 21<sup>st</sup> Street North Corridor Revitalization Plan. (Districts I & VI)

RECOMMENDED ACTION: Adopt the 21<sup>st</sup> Street North Corridor Revitalization Plan as an amendment to the Wichita-Sedgwick County Comprehensive Plan and place the ordinance on first reading.

40. Northeast Area Plan Update. (District I)

RECOMMENDED ACTION: Approve the appointment of members to the Northeast Area Plan Update Steering Committee.

41. \*VAC2004-00060-Request to Vacate a Portion of Platted Street Right-of-Way, Platted Easement and Platted Setbacks, Generally Located Midway between 159<sup>th</sup> Street East and 143<sup>rd</sup> Street East, north of 13<sup>th</sup> Street North, More Specifically Northeast of the Freedom Road-Freedom Road Court intersection, all on Freedom Road Court. (City of Wichita three-mile ring subdivision jurisdiction – Sedgwick County)

RECOMMENDED ACTION: Approve the Vacation Order and authorize the necessary signatures.

42. \*SUB2004-95-Plat of Cheryl's Hollow Addition, Located on the North Side of 13<sup>th</sup> Street North and West of 135<sup>th</sup> Street West. (District V)

RECOMMENDED ACTION: Approve the documents and plat, authorize the signatures and adopt the resolutions.

43. \*Street Improvement Agreement for Lot Split No. SUB2004-100, Lot 1, Thrifty Second Addition, Located South of Kellogg and Dugan, East of Ridge Road. (District IV)

RECOMMENDED ACTION: Approve the agreement and authorize the necessary signatures.

44. \*CON2004-37-Associated with ZON2004-57, Zone Change from Single-family Residential to Limited Commercial and a Conditional Use for a Night Club within 200 Feet of Residential Zoning. Generally Located West of Broadway and North of 47<sup>th</sup> Street South. (District IV)

RECOMMENDED ACTION: 1) Concur with the findings of the MAPC and approve the Zone Change to Limited Commercial and the Conditional Use to permit a nightclub, subject to the recommended conditions; approve the first reading of the Ordinances establishing the Zone Change and the first reading of the resolution establishing the Conditional Use; or  
2) Return the application to the MAPC for reconsideration.

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AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

\*Consent items

45. Unfinished Business:

- a) \*Air Service Consulting Services, The Boyd Group/ASRC, Inc.  
(Deferred December 14, 2004)
- b) \*Air Service Consulting Services-Sabre Consulting.  
(Deferred December 14, 2004)

RECOMMENDED ACTION: Approve the Agreement and authorize the necessary signatures.

46. Agreements/Contracts:

- a) \*Gearbuck Aviation Services.
- b) \*S & S Limousine.
- c) \*Airline Use Agreements-Supplemental Agreements.
- d) \*Cessna Aircraft Company-Supplemental Agreement No. 4.
- e) \*Access-Learjet Remediation Project.

RECOMMENDED ACTION: Approve the agreement and authorize the necessary signatures.

47. \*Airfield Pavement-Taxiway "M" Construction, Wichita Mid-Continent.

RECOMMENDED ACTION: Approve the change order and authorize the necessary signatures.

48. \*2005 Schedule of Fees and Charges and Resolution for Aircraft use of Wichita Mid-Continent Airport.

RECOMMENDED ACTION: Adopt the Schedule of Fees and Charges and the Resolution of the Wichita Airport Authority implementing a schedule of fees and charges for scheduled passenger airlines all to be effective January 1, 2005.



49. \*Commercial Lawn Management, Amendments.

RECOMMENDED ACTION: Approve the Amendment Nos. One and Two and authorize the necessary signatures.

50. \*Cessna/Yingling Land Leases.

RECOMMENDED ACTION: Approve the amendment, the land use agreement, amendment to sublease and pledge resolution and authorize the necessary signatures.

51. \*Airport Marketing.

RECOMMENDED ACTION: Approve the Wichita Airport Advisory Board's (WAAB's) recommendation to retain the services of Sullivan Higdon Sink for another year.

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CITY COUNCIL

52. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

Adjournment

\*\*\*Workshop to follow\*\*\*